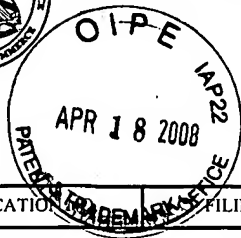




# UNITED STATES PATENT AND TRADEMARK OFFICE

TfA



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/031,360

05/10/2002

Koichi Komoda

967 023

2576

20874

7590

04/15/2008

MARJAMA MULDOON BLASIAK & SULLIVAN LLP  
250 SOUTH CLINTON STREET  
SUITE 300  
SYRACUSE, NY 13202

EXAMINER

HASAN, SYED Y

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

04/15/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/031,360	KOMODA, KOICHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	SYED Y. HASAN	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2008.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 6, 10, 13, 18, 21 - 23, 26, 29, 42 and 82 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6, 10, 13, 18, 21 - 23, 26, 29, 42 and 82 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/09/2002, 06/07/2004, 06/10/2004, 09/13/2004</u><br><u>and 04/08/2005.</u> | 6) <input type="checkbox"/> Other: _____  |



## **DETAILED ACTION**

### **Response to Arguments**

1. Applicant's arguments with respect to claims 6, 10, 13, 18, 21, 22, 23, 26, 29, 42 and 82 filed on 01/10/2008 have been considered but are moot in view of the new ground(s) of rejection.

Kamibayashi et al (US 6847950) discloses mutual authentication, a first authentication means, a second authentication means, an encryption means and a decryption means. References are provided below.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent thereof, subject to the conditions and requirements of this title.

The USPTO "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility " (Official Gazette notice of 22 November 2005), Annex IV reads as follows:

Claims that recite nothing but the physical characteristics of a form of energy, such as a frequency, voltage, or the strength of a magnetic field, define energy or magnetism, per se, and as such are nonstatutory natural phenomena. O'Reilly, 56 U.S. (15 How.) at 112-14. Moreover, it does not appear that a claim reciting a signal encoded with functional descriptive material falls within any of the categories of patentable subject matter set forth in Sec. 101.

... a signal does not fall within one of the four statutory classes of Sec. 101

... signal claims are ineligible for patent protection because they do not fall within any of the four statutory classes of Sec. 101.

Claim 82 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows.

Claim 82 defines "storage medium" with descriptive material. While "functional descriptive material" may be claimed as a statutory product (i.e., a "manufacture") while embodied on a tangible computer readable medium, recording medium embodying that same functional descriptive material is neither a process nor a product (i.e., a tangible "thing") and therefore does not fall within one of the four statutory class of §101. Rather, "medium" is a form of energy, in the absence of any physical structure or tangible material. Examiner recommends changing "A storage medium or a removable storage medium....." to "A computer readable storage medium or a computer readable removable storage medium on which a program is recorded.....".

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 10, 13, 18, 21, 22, 23, 26, 29, 42, and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoyama et al (US 6810200) in view of Kamibayashi et al (US 6847950).

Regarding **claim 6** Aoyama et al discloses a playback/recording apparatus for performing transfer of contents recorded on an erasable storage medium, between apparatuses:

said playback/recording apparatus comprising a playback/erasing apparatus as a first apparatus (fig 2, 1080 and 1071, col 6, lines 10 – 16, illustrates the combination of CD 1080 and data storage unit 1071 as playback and fig 2, 1070, col 6, lines 10 – 24 deletes the data, comprise the first apparatus) a recording apparatus as a second apparatus (fig 2, 1070 and 1090, and fig 3, 1200 and 1090, col 6, lines 55 – 61, comprise recording apparatus) and a transmission line such as a transmission cable or the like for connecting the first and second apparatuses (fig 3, 1090, col 6, lines 65 – 67, SD card 1090 loads music data and becomes the transmission media)

said first apparatus comprising:

transfer of contents between itself and the second apparatus (col 11, lines 1 – 8, illustrates copying of data from CD to HD and SD card)

a playback means for reproducing contents recorded on a first storage medium (fig 2, 1010, col 5, lines 41 – 43 reads data from CD) and outputting the reproduced contents (col 6, lines 10 – 15, outputs the reproduced contents on SD and data storage)

a detection means for detecting copyright information of the contents (fig 2,

1020, col 5, lines 60 – 67, judges or detects copyright information)

an erasing means for erasing the contents from the first storage medium (col 10, lines 9 – 13, illustrates data from HD being deleted as soon as it is written onto SD card)

said second apparatus comprising:

transfer of contents between itself and the first apparatus (fig 2, 1020, col 6, lines 5 – 9 illustrates transfer of contents)

a recording means for recording the contents on a second storage means (fig 2, 1090, col 6, lines 5 – 8, writes data on SD card)

wherein, when performing transfer of the contents, the contents are reproduced by the playback means and outputted and, the contents are erased from the first storage medium by the erasing means, and the contents are recorded on the second storage means by the recording means, thereby transferring the contents. (rejected based on the information contained above)

However Aoyama et al does not disclose a first and second authentication means for performing mutual authentication, an encryption means for encrypting the output from the playback and a decryption means for decrypting the encrypted data

On the other hand Kamibayashi et al teaches a first and second authentication means for performing mutual authentication (first authentication fig 5, 6c, second authentication fig 5, 13d and mutual authentication fig 5, col 7, lines 58 - 65, col 8, line 24 to col 9 line 40) an encryption means for encrypting the output from the playback (col 5, lines 29 – 31) and a decryption means for decrypting the encrypted data (col 12, lines 4 – 9)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a first and second authentication means for performing mutual authentication, an encryption means for encrypting the output from the playback and a decryption means for decrypting the encrypted data as taught by Kamibayashi et al in the system of Aoyama et al in order to be accessible by secret specific procedures.

Regarding **claim 21** Aoyama et al discloses the playback/recording apparatus defined further comprising a temporary storage means for temporarily storing the contents; wherein the contents are temporarily stored in the temporary storage means (fig 2, 1071, col 6, lines 5 – 9 illustrate HD as temporary storage)

Regarding **claim 26** Aoyama et al discloses the playback/erasing apparatus as the first apparatus further comprising a first control means for controlling the playback means (fig 2, 1010, col 5, lines 41 – 43) and erasing means (fig 2, 1070, col 6, lines 20 – 24 illustrates deleting data); wherein the playback means and erasing means are controlled by the first control means, thereby performing transfer of the contents. (fig 2, 1010 and 1070 together with 1020 perform transfer of contents)

**Claims 10, 13 and 18** are rejected based on claim 6 above

**Claims 22 and 23** are rejected based on claim 21 above

**Claims 29, 42, and 82** are rejected based on claim 26 above

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure



Ogino (US 6433946) discloses method and device for controlling information signal recording.

Yamamoto et al (US 6904227) discloses device and method for editing video and/or audio data recorded in a disc storage medium.

Hirai (US 6839503) discloses transfer apparatus and recording control system using a transfer control method selected based on a transfer rate of data.

Kawamae et al (US 6578149) discloses a method for producing data, apparatus for reproducing data, method for coding data, method for recording data.

Kori et al (US 6480607) discloses an encrypted reproducing transmitting and processing method and apparatus with separately encrypted control data.

Ogino (US 6427047) discloses an apparatus and method for detecting the unauthorized duplication of a signal.

Kori et al (US 5778064) discloses an apparatus and method for processing a high definition video signal.

Kim et al (US 5799081) discloses an illegal view/copy protection method and apparatus for digital broadcasting system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Y. Hasan whose telephone number is 571-270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S.Y.H.  
04/08/2008

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621

<b>Notice of References Cited</b>	Application/Control No. 10/031,360		Applicant(s)/Patent Under Reexamination KOMODA, KOICHI	
	Examiner SYED Y. HASAN		Art Unit 2621	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,810,200	10-2004	Aoyama et al.	386/94
*	B	US-6,847,950	01-2005	Kamibayashi et al.	705/57
*	C	US-6,433,946	08-2002	Ogino, Akira	360/60
*	D	US-6,904,227	06-2005	Yamamoto et al.	386/52
*	E	US-6,839,503	01-2005	Hirai, Jun	386/94
*	F	US-6,578,149	06-2003	Kawamae et al.	726/26
*	G	US-6,480,607	11-2002	Kori et al.	380/201
*	H	US-6,427,047	07-2002	Ogino, Akira	386/94
*	I	US-5,778,064	07-1998	Kori et al.	380/203
*	J	US-5,799,081	08-1998	Kim et al.	380/203
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



4-11-5

2615  
JFW

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/031,360	
	<b>Filing Date</b>	January 18, 2002	
	<b>First Named Inventor</b>	Koichi Komoda	
	<b>Group Art Unit</b>	2615	
	<b>Examiner Name</b>	James A. Fletcher	
<b>Total Number of Pages in This Submission</b>	5	<b>Attorney Docket Number</b>	967_023

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Mailroom Postcard, PTO 1449 (1 pg.) and Copy of Three (3) Foreign References (AP-AR)
<b>Remarks</b>		<b>The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.</b>
<b>Express Mail Label No. EV 387965772 US</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
<b>Firm or Individual name</b>	Wall Marjama & Bilinski LLP Peter J. Bilinski Reg. No. 35,067
<b>Signature</b>	
<b>Date</b>	April 8, 2005

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service using the Express Mail Post Office To Addressee service per 37 CFR 1.10 under Express Mail No. EV 387965772 US addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 8, 2005.		
<b>Typed or printed name</b>	Susanne C. Aregano	
<b>Signature</b>		<b>Date</b> April 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Practitioner's Docket No.: 967\_023

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Koichi Komoda

Serial No.: 10/031,360

Art Unit: 2615

Filed: January 18, 2002

Examiner: James A. Fletcher

For: PLAYBACK/RECORDING APPARATUS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service using the Express Mail Post Office To Addressee service per 37 CFR 1.10 under Express Mail No. EV 387965772 US addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 8, 2005.

*Susanne C. Aregano*  
Susanne C. Aregano

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §§1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. A copy of each of the foreign references listed on Form PTO-1449 are attached.

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §1.104(a) and §1.105 concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that these references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing date of the first Office action on the merits (whichever is later), and therefore no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

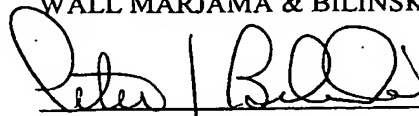
The Director is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: April 8, 2005

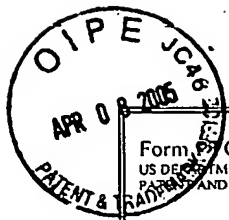
By:

A handwritten signature in black ink, appearing to read 'Peter J. Bilinski', written over a horizontal line.

Peter J. Bilinski  
Reg. No. 35,067

PJB/sca  
Telephone: (315) 425-9000

Customer No.: 20874



Form O 1449 US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Atty Docket No. <b>967 023</b>	Serial No. <b>10/031,360</b>
	Applicant <b>Koichi Komoda</b>	
	Filing Date <b>January 18, 2002</b>	Group <b>2615</b>

### U.S. PATENT DOCUMENTS

Exam. Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
/SH/	AK	4,660,116	April 21, 1987	Westfall et al.			
/SH/	AL	4,975,898	December 4, 1990	Yoshida			
/SH/	AM	5,057,947	October 15, 1991	Shimada			
/SH/	AN	5,822,425	October 13, 1998	Ezaki et al.			
/SH/	AO	5,896,255	April 20, 1999	Mardirossian			

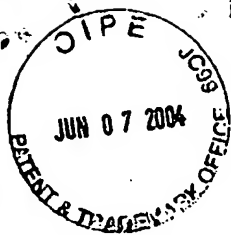
### FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation	Abstract
/SH/	AP	2,236,387	November 14, 1998	CA				
/SH/	AQ	0 924 930 A2	June 23, 1999	EP				
/SH/	AR	0 969 462 A1	July 2, 1999	EP				

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages Etc.)

Examiner	/Syed Hasan/	Date Considered 05/11/2007

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Practitioner's Docket No.: 967\_023

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Koichi Komoda

RECEIVED

JUN 15 2004

Serial No.: 10/031,360

Art Unit: 2615

Filed: January 18, 2002

Examiner: James A. Fletcher

Technology Center 2600

For: PLAYBACK/RECORDING APPARATUS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

"EXPRESS MAIL" mailing label number .EL 962599544 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 7, 2004.

*Susanne C. Aregano*  
Susanne C. Aregano

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §§1.97, 1.98, the attention of the Patent and Trademark Office is hereby directed to the reference listed on the attached Form PTO-1449. A copy of the reference listed on Form PTO-1449 is attached along with an English language version of the Abstract.

Also enclosed is a copy of a Korean Search Report bearing a mailing date of January 28, 2004, and the U.S. PTO is directed thereto for a concise statement of possible relevance of the references cited therein.

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §1.104(a) and §1.105 concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that this reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing date of the first Office action on the merits (whichever is later), and therefore no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

BEST AVAILABLE COPY



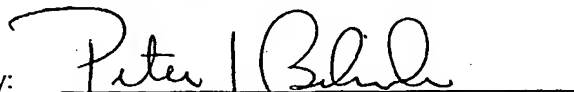
The Director is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: June 7, 2004

By:

A handwritten signature in dark ink, appearing to read "Peter J. Bilinski", is written over a horizontal line.

Peter J. Bilinski  
Reg. No. 35,067

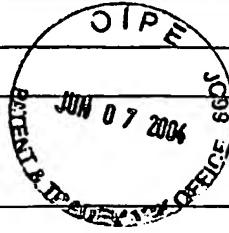
PJB/sca

Telephone: (315) 425-9000

Customer No.: 20874

BEST AVAILABLE COPY

Form PTO 1449 US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Atty Docket No. 967 023	Serial No. 10/031,360
	Applicant Koichi Komoda	Group 2615
	Filing Date January 18, 2002	



### U.S. PATENT DOCUMENTS

Exam Initial	Document Number	Date	Name	Class	Sub Class	Filing Date

RECEIVED

JUN 15 2004

Technology Center 2600

### FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation	Abstract
/SH/	AH	11213552 A	August 6, 1999	JP				X

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages Etc.)

Examiner	/Syed Hasan/	Date Considered 05/11/2007

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Practitioner's Docket No.: 967\_023

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re the application of: Koichi Komoda

JUN 16 2004

Serial No.: 10/031,360

Art Unit: 2615

Technology Center 2600

Filed: January 18, 2002

Examiner: James A. Fletcher

For: PLAYBACK/RECORDING APPARATUS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

"EXPRESS MAIL" mailing label number .EL 962599495 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 10, 2004.

*Susanne C. Aregano*  
Susanne C. Aregano

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §§1.97, 1.98, the attention of the Patent and Trademark Office is hereby directed to the reference listed on the attached Form PTO-1449. A copy of the reference listed on Form PTO-1449 is attached.

In compliance with the concise explanation requirements under 37 CFR § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a corresponding English language version thereof.

37 CFR 1.98(a)(3)(ii) states that if no translation is submitted, the Examiner will consider the information in view of the concise explanation and insofar as it is understood on its face, e.g., drawings, chemical formulas, English language abstracts, in the same manner that non-English language information in Office search files is considered by examiners in conducting searches. "The duty of candor does not require that the applicant translate every foreign reference, but only that the applicant refrain from submitting partial translations and concise explanations that it knows will misdirect the examiner's attention from the reference's relevant teaching." 204F.3d at 138, 54 USPQ2d at 1008.

BEST AVAILABLE COPY

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §1.104(a) and §1.105 concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that this reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing date of the first Office action on the merits (whichever is later), and therefore no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

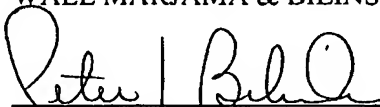
The Director is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: June 10, 2004

By:

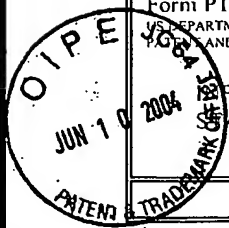


Peter J. Bilinski  
Reg. No. 35,067

PJB/sca  
Telephone: (315) 425-9000

Customer No.: 20874

BEST AVAILABLE COPY



Form PTO 1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Atty Docket No. 967 023	Serial No. 10/031,360
	Applicant Koichi Komoda	
	Filing Date January 18, 2002	Group 2615

U.S. PATENT DOCUMENTS

Exam. Initial		Document Number	Date	Name	Class	Sub Class	Filing Date

RECEIVED  
JUN 16 2004  
Technology Center 2600

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation	Abstract
/SH/	A1	1 096 499 A2	May 2, 2001	EP				

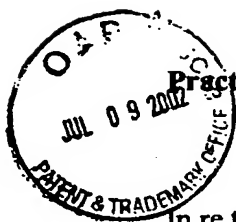
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages Etc.)

Examiner	/Syed Hasan/	Date Considered 05/11/2007

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

BEST AVAILABLE COPY

2682



COPY OF PAPERS  
ORIGINALLY FILED

Practitioner's Docket No.: 967\_023

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Koichi Komoda

Ser. No.: 10/031,360

Art Unit: Not Assigned

Filed: January 18, 2002

Examiner: Not Assigned

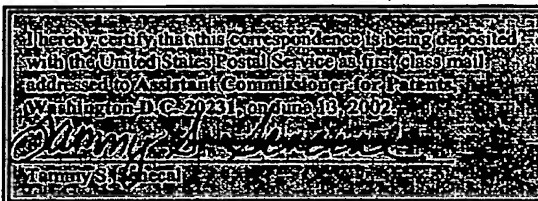
RECEIVED

JUL 16 2002

Technology Center 2600

For: PLAYBACK/RECORDING APPARATUS

Assistant Commissioner for Patents  
Washington, DC 20231



**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. Copies of each of the references listed on Form PTO-1449 are attached.

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §1.104(a) and §1.105 concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that these references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing date of the first Office Action on the merits (whichever is later), and therefore no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

In compliance with the concise explanation requirements under 37 CFR § 1.98(a)(3) for foreign language documents, Applicants enclose herewith a copy of an English-language abstract.

37 CFR 1.98(a)(3)(ii) states that if no translation is submitted, the Examiner will consider the information in view of the concise explanation and insofar as it is understood on its face, e.g., drawings, chemical formulas, English language abstracts, in the same manner

that non-English language information in Office search files is considered by examiners in conducting searches. "The duty of candor does not require that the applicant translate every foreign reference, but only that the applicant refrain from submitting partial translations and concise explanations that it knows will misdirect the examiner's attention from the reference's relevant teaching." 204F.3d at 138, 54 USPQ2d at 1008.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL, MARJAMA & BILINSKI LLP



Peter J. Bilinski

Reg. No. 35,067

June 13, 2002

Date

PJB/ts

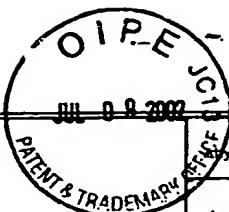
Phone: (315) 425-9000

Customer No.:



20874

PATENT TRADEMARK OFFICE



<b>Form PTO 1449</b> US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Patent Docket No. <b>967_023</b>  Applicant <b>Koichi Komoda</b>  Filing Date <b>January 18, 2002</b>	Serial No. <b>10/031,360</b>  Group <b>Not Assigned</b>
--	---	---

COPY OF PAPERS  
ORIGINALY FILED

### U.S. PATENT DOCUMENTS

Exam. Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
/SH/	AA	5,822,425	10/13/1998	Ezaki et al.			

**RECEIVED**  
 JUL 16 2002  
 Technology Center 2600

### FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation	Abstract
/SH/	AB	EP 0 878 794 A2	11/18/1998	EP				
/SH/	AC	2000322826A	11/24/2000	JP				✓
/SH/	AD	2001014221A	01/19/2001	JP				✓
/SH/	AE	2001022647A	01/26/2001	JP				✓
/SH/	AF	9-130766	10/13/1998	JP				✓
/SH/	AG	10-322648	11/18/1998	JP				✓

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages Etc.)

Examiner <b>/Syed Hasan/</b>	Date Considered <b>05/11/2007</b>

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.





09-14-04

2615  
Bh

Practitioner's Docket No.: 967\_023

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Koichi Komoda

Serial No.: 10/031,360

Art Unit: 2615

Filed: January 18, 2002

Examiner: James A. Fletcher

For: PLAYBACK/RECORDING APPARATUS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

"EXPRESS MAIL" mailing label number EL 963719827 US.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 13, 2004.

*Susanne C. Aregano*  
Susanne C. Aregano

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §§1.97, 1.98, the attention of the Patent and Trademark Office is hereby directed to the reference listed on the attached Form PTO-1449. A copy of the reference listed on Form PTO-1449 is attached.

In compliance with the concise explanation requirements under 37 CFR § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of an English-language abstract.

37 CFR 1.98(a)(3)(ii) states that if no translation is submitted, the Examiner will consider the information in view of the concise explanation and insofar as it is understood on its face, e.g., drawings, chemical formulas, English language abstracts, in the same manner that non-English language information in Office search files is considered by examiners in conducting searches. "The duty of candor does not require that the applicant translate every foreign reference, but only that the applicant refrain from submitting partial translations and concise explanations that it knows will misdirect the examiner's attention from the reference's relevant teaching." 204F.3d at 138, 54 USPQ2d at 1008.

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §1.104(a) and §1.105 concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that this reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The present Information Disclosure Statement is being filed (1) no later than three months from the application's filing date or (2) before the mailing date of the first Office action on the merits (whichever is later), and therefore no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

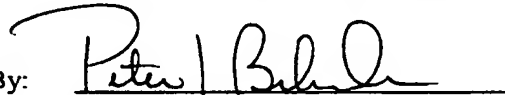
The Director is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: September 13, 2004

By:



Peter J. Bilinski

Reg. No. 35,067

PJB/sca

Telephone: (315) 425-9000

Customer No.: 20874

Form PTO 1449  
US DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

Atty Docket No. 967 023

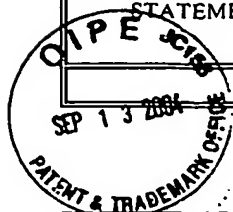
Serial No. 10/031,360

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

Applicant Koichi Komoda

Filing Date January 18, 2002

Group 2615



U.S. PATENT DOCUMENTS

Exam Initial	Document Number	Date	Name	Class	Sub Class	Filing Date

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	Translation	Abstract
/SH/	AJ 2001-125833	May 2, 2001	JP				X

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages Etc.)

Examiner	/Syed Hasan/	Date Considered 05/11/2007

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Organization \_\_\_\_\_ Bldg/Room \_\_\_\_\_  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
If Undeliverable Return in Ten Days

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

AN EQUAL OPPORTUNITY EMPLOYER

